

CLOSED

**U.S. District Court
District of New Hampshire (Concord)
CIVIL DOCKET FOR CASE #: 1:09-cv-00045-PB**

Moyston v. Hillsborough County Department of Corrections,
Superintendent et al
Assigned to: Judge Paul J. Barbadoro
Case in other court: USCA, 10-01181
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 03/31/2009
Date Terminated: 10/01/2010
Jury Demand: Defendant
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: Federal Question

Plaintiff

Jerome Moyston

represented by **Jerome Moyston**
DIN#03AS468
Five Points Correctional Facility
State Route 96, PO Box 119
Romulus, NY 14541
PRO SE

V.

Defendant

**Hillsborough County Department of
Corrections, Superintendent**
other
James M. O'Mara, Jr.

represented by **John A. Curran**
Curtin Murphy & O'Reilly PC
One Tara Blvd Ste 309
Nashua, NH 03062
603 888-7384
Fax: 603 888 6983
Email: jcurran@cmopc.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**Hillsborough County Department of
Corrections, Assistant Superintendent**
other
David Dion

represented by **John A. Curran**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Willie Scurry
Captain, Hillsborough County DOC
TERMINATED: 09/21/2009

Defendant

Cellee Beurdoin
*Mail Room Clerk, Hillsborough County
DOC*

represented by **John A. Curran**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Nancy Davine
*Law Library Clerk / G.E.D. Teacher,
Hillsborough County DOC*

represented by **John A. Curran**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Denise Ryan
*Hillsborough County DOC, Medical
Department Employee*

represented by **John A. Curran**
(See above for address)
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Defendant**FNU Braga***First Name Unknown, Dr.*

represented by **Todd J. Hathaway**
 Wadleigh Starr & Peters PLLC
 95 Market St
 Manchester, NH 03101
 603 669-4140
 Email: thathaway@wadleighlaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**FNU Descar***First Name Unknown, Nurse*

represented by **John A. Curran**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
02/18/2009	<u>1</u>	COMPLAINT against Hillsborough County Department of Corrections, Superintendent filed by Jerome Moyston.(jeb) (Additional attachment(s) added on 4/16/2009: # <u>1</u> Summons) (jeb). (Additional attachment(s) added on 9/14/2009: # <u>2</u> Summonses) (mxm). (Entered: 02/18/2009)
02/18/2009	<u>2</u>	ORDER – Filing Fee Omitted. Either the filing fee or a motion to proceed IFP must be submitted within 60 days. If IFP status sought the court needs: IFP motion, financial declaration and certificate of custodial institution. Signed by Deputy Clerk Janice E. Boucher. Notice of Compliance Deadline set for 4/19/2009. (jeb) (Entered: 02/18/2009)
02/18/2009		NOTICE. This case has been designated for Electronic Case Filing. All further submissions shall be filed in compliance with the Administrative Procedures for Electronic Case Filing. Pro se litigants are not required to file electronically and may continue to file documents in paper format. Persons filing electronically are strongly encouraged to complete the interactive training modules available on the courts website. To access these modules, click <u>HERE</u>. (jeb) (Entered: 02/18/2009)
03/03/2009	<u>3</u>	Certificate of Custodial Institution by Jerome Moyston (jeb) (Entered: 03/03/2009)
04/15/2009	<u>4</u>	MOTION to Proceed In Forma Pauperis with Financial Affidavit filed by Jerome Moyston. (jeb) (Entered: 04/16/2009)
04/15/2009	<u>5</u>	MOTION to Appoint Counsel filed by Jerome Moyston. (jeb) (Entered: 04/16/2009)
04/15/2009	<u>6</u>	Addendum to <u>1</u> Complaint [pages 1–35] by Jerome Moyston. (Attachments: # <u>1</u> Addendum to <u>1</u> Complaint [pages 36–67 (end)](jeb) (Additional attachment(s) added on 9/1/2009: # <u>1</u> Addendum to <u>1</u> Complaint [pages 36–67 (end)] (jeb). (Entered: 04/16/2009)
04/16/2009	<u>7</u>	ORDER granting <u>4</u> Motion to Proceed in forma pauperis as to Jerome Moyston, initial fee of \$8.00. No further action by court until initial fee paid. Failure to pay will result in dismissal. So Ordered by Magistrate Judge James R. Muirhead. Fee due 5/16/2009. (jeb) (Entered: 04/16/2009)
04/27/2009	<u>8</u>	Letter to Court from Jerome Moyston re: filing fee (Attachments: # <u>1</u> Exhibit 1 – 4/20/09 Letter to Plaintiff from Captain Cusson, # <u>2</u> Exhibit 2 – Inmate request form with court's order) (mxm) (Entered: 04/29/2009)
05/05/2009	<u>9</u>	Letter to Jerome Moyston from Daniel Lynch re: filing fees (mxm) (Entered: 05/05/2009)
05/11/2009		Initial Filing Fee paid: \$ 8.00 (Check), receipt number 14649001337 by Jerome Moyston re: <u>1</u> Complaint. (jeb) (Entered: 05/11/2009)

05/27/2009	<u>10</u>	Letter to Court from Jerome Moyston re: filing fee (mxm) (Entered: 06/04/2009)
06/04/2009	<u>11</u>	Letter to Jerome Moyston from James Starr re: filing fees received (mxm) (Entered: 06/04/2009)
08/12/2009	<u>12</u>	2nd Addendum to <u>1</u> Complaint by Jerome Moyston. (Attachments: # <u>1</u> Exhibit re: Letter re: Retaliation, # <u>2</u> Exhibit Inmate grievance form re: Legal Work, # <u>3</u> Exhibit Letter from James O'Mara, # <u>4</u> Exhibit Inmate grievance form re: cruel and unusual punishment, # <u>5</u> Exhibit Inmate grievance form re: Captain Scurry, # <u>6</u> Exhibit Inmate grievance form re: Captain Scurry, # <u>7</u> Exhibit Inmate grievance form re: Nancy Davine, # <u>8</u> Exhibit Inmate grievance form re: medical indifference)(vln) (Entered: 08/13/2009)
08/20/2009	<u>13</u>	Letter to United States District Court from Jerome Moyston inquiring as to whether court received pleadings he submitted. (LL) (Entered: 08/24/2009)
08/24/2009	<u>14</u>	Letter to Jerome Moyston from Daniel J. Lynch, Chief Deputy Clerk, U.S. District Court. (LL) (Entered: 08/24/2009)
08/31/2009	<u>15</u>	REPORT AND RECOMMENDATIONS re <u>1</u> Complaint, recommending that it be served as to claim 1, as to blood pressure, eye condition, testicular pain, Claim 5 First amendment retaliation claim relating to exclusion from library, lost and late mail and restriction on filing grievances. Dismissed as to all other claims. Follow up on Objections to R Ron 9/18/2009. Signed by Magistrate Judge James R. Muirhead. (mm) (Entered: 09/01/2009)
08/31/2009	<u>16</u>	ORDER Directing US Marshal to Make Service. Plaintiff to complete summonses and return them to the clerk's office within 30 days. Motion for appointment of attorney is denied. Signed by Magistrate Judge James R. Muirhead. (mm) (Entered: 09/01/2009)
09/11/2009	<u>17</u>	OBJECTION to <u>15</u> Report and Recommendations filed by Jerome Moyston. (Attachments: # <u>1</u> Exhibit A – 2/24/09 Results of Disciplinary, # <u>2</u> Exhibit B – 2/20/09 Results of Disciplinary, # <u>3</u> Exhibit C – Motion filed in case 09–s–107–111, # <u>4</u> Exhibit D – Motion o Withdrawn from Attorney Howard, # <u>5</u> Exhibit E – Order issued in case 09–s–107–111, # <u>6</u> Exhibit F – 8/24/09 Inmate Request form, # <u>7</u> Exhibit G Notice/Result of Disciplinary Hearing, # <u>8</u> Exhibit H – 6/8/09 Letter from James O'Mara, # <u>9</u> Exhibit I – 8/28/09 Disciplinary Results, # <u>10</u> Exhibit J – Envelope addressed to Jerome Moyston)(mxm) (Entered: 09/14/2009)
09/18/2009		SERVICE BY CLERK: Cellee Beurdoine, Hillsborough County Department of Corrections, Superintendent, Nancy Davine, Denise Ryan Dr. Braga, Buerdoine per <u>16</u> Report and Recommendations/Order Directing Service,. (mxm) (Entered: 09/18/2009)
09/21/2009	<u>18</u>	ORDER approving <u>15</u> Report and Recommendations. So Ordered by Judge Paul J. Barbadoro. (mm) (Entered: 09/21/2009)
09/23/2009	<u>19</u>	Return of Service Executed as to FNU Descar for Jerome Moyston by US Marsha. Served/Mailed on 9/21/2009. Answer due by 10/14/2009. (mxm) (Entered: 09/25/2009)
09/23/2009	<u>20</u>	Return of Service Executed as to Hillsborough County Department of Corrections, Superintendent O'Mara by US Marshal for Jerome Moyston. Served/Mailed on 9/21/2009. Answer due by 10/14/2009. (mxm) (Entered: 09/25/2009)
09/23/2009	<u>21</u>	Return of Service Executed as to Denise Ryan by US Marshal for Jerome Moyston. Served/Mailed on 9/21/2009. Answer due by 10/14/2009. (mxm) (Entered: 09/25/2009)
09/23/2009	<u>22</u>	Return of Service Executed as to Nancy Davine by US Marshal for Jerome Moyston. Served/Mailed on 9/21/2009. Answer due by 10/14/2009. (mxm) (Entered: 09/25/2009)
09/23/2009	<u>23</u>	Return of Service Executed as to Hillsborough County Department of Corrections, Assistant Superintendent Dion, by US Marshal for Jerome Moyston. Served/Mailed on 9/21/2009. Answer due by 10/14/2009. (mxm) (Entered: 09/25/2009)

09/23/2009	<u>24</u>	Return of Service Executed by US Marshal as to FNU Braga Served/Mailed on 9/21/2009 (signed for by Lt Vacca). Answer due by 10/14/2009. (mxm) (Entered: 09/30/2009)
09/23/2009	<u>25</u>	Return of Service Executed by US Marshal as to Cellee Beurdoine Served/Mailed on 9/21/2009.(Accepted by Lt Vacca) Answer due by 10/14/2009. (mxm) (Entered: 09/30/2009)
10/15/2009	<u>27</u>	ANSWER to <u>1</u> Complaint with jury demand (<i>on permitted claims</i>) filed by FNU Descar, Hillsborough County Department of Corrections, Assistant Superintendent, Hillsborough County Department of Corrections, Superintendent, Nancy Davine, Denise Ryan. (Curran, John) (Entered: 10/15/2009)
10/15/2009	<u>28</u>	MOTION to Extend Time to Answer to October 15, 2009 (nunc pro tunc) [<i>plaintiff indicates he takes no position</i>] filed by FNU Descar, Hillsborough County Department of Corrections, Assistant Superintendent, Hillsborough County Department of Corrections, Superintendent, Nancy Davine, Denise Ryan. Follow up on Objection on 11/2/2009. (Curran, John) (Entered: 10/15/2009)
10/16/2009		ENDORSED ORDER granting <u>28</u> Motion to Extend Time to Answer. Text of Order: Granted. So Ordered by Magistrate Judge James R. Muirhead. (sh) (Entered: 10/16/2009)
10/19/2009	<u>29</u>	Return of Service Executed as to FNU Braga Served/Mailed on 10/8/2009. Answer due by 11/2/2009. (mxm) (Entered: 10/20/2009)
10/22/2009	<u>30</u>	ANSWER to <u>1</u> Complaint with jury demand by <i>Cecile Beaudoin (corrected spelling)</i> filed by Cellee Beurdoine. (Curran, John) (Entered: 10/22/2009)
10/22/2009	<u>31</u>	MOTION to Extend Time to Answer to 10/22/09 (nunc pro tunc) [<i>position of plaintiff not yet ascertained</i>] filed by Cellee Beurdoine. Follow up on Objection on 11/9/2009. (Curran, John) (Entered: 10/22/2009)
10/27/2009		NOTICE OF PRETRIAL CONFERENCE. Pretrial Conference set for 12/7/2009 10:00 AM before Magistrate Judge James R. Muirhead. Follow up on Discovery Plan 12/1/2009. Please note pursuant to Title 28 USC 636(c) and Local Rule 73.1, the parties may consent to have the case reassigned to Magistrate Judge Muirhead, but are free to withhold consent without adverse consequences.(kad) (Entered: 10/27/2009)
10/27/2009	<u>32</u>	ORDER to Transport Jerome Moyston on December 7, 2009 for Preliminary Pretrial Conference from Hillsborough County Department of Corrections. Signed by Clerk James R. Starr. (kad) (Entered: 10/27/2009)
11/02/2009	<u>33</u>	ANSWER to <u>1</u> Complaint with jury demand filed by FNU Braga. (Mattson, Joseph) (Entered: 11/02/2009)
11/02/2009		NOTICE of ECF Filing Error re: <u>33</u> Answer to Complaint filed by FNU Braga. The login and password used must equal the /s/ name on the pleading. NO ACTION REQUIRED – FOR INFORMATIONAL PURPOSES ONLY AND MERELY INTENDED TO EDUCATE ALL PARTIES IN THE CASE. If the filing party has any questions concerning this notice, please contact the judge's case manager at 603–225–1423. (mxm) (Entered: 11/02/2009)
11/25/2009		ENDORSED ORDER granting <u>31</u> Motion to Extend Time to Answer.. Text of Order: Granted So Ordered by Magistrate Judge James R. Muirhead. (mm) (Entered: 11/25/2009)
12/01/2009	<u>34</u>	Proposed Discovery Plan (<i>partially assented to, by co–defendant Dr. Braga</i>) filed by FNU Descar, Hillsborough County Department of Corrections, Assistant Superintendent, Cellee Beurdoine, Hillsborough County Department of Corrections, Superintendent, Nancy Davine, Denise Ryan. (Curran, John) (Entered: 12/01/2009)
12/07/2009		Minute Entry for proceedings held before Magistrate Judge James R. Muirhead. PRETRIAL CONFERENCE held on 12/7/2009. Order to issue. (Court Reporter: Sandra Bailey) (Pltfs Atty: Jerome Moyston, Pro Se) (Defts Atty: Elizabeth Hurley)(Total Hearing Time: :10) (kad) (Entered: 12/07/2009)

12/07/2009	<u>35</u>	MOTION "to expel the trial schedule" filed by Jerome Moyston. Served on 12/2/09. Follow up on Objection on 12/24/2009. (mm) (Entered: 12/08/2009)
12/07/2009		ENDORSED ORDER approving <u>34</u> Discovery Plan. Length of Trial 4 days. Case Track: Standard. Text of Order: Approved and adopted as a pretrial scheduling order with the following modifications: Summary judgment deadline 6/15/2010. Trial: 1/4/2011 So Ordered by Magistrate Judge James R. Muirhead. Summary Judgment Motions due by 6/15/2010. Dispositive Motion Filing Deadline 3/1/2010. (mm) (Entered: 12/08/2009)
12/09/2009		TRIAL NOTICE: LR 16.2(d) Objections due 12/17/10.. Jury Trial set for two-week period beginning 1/4/2011 09:30 AM before Judge Paul J. Barbadoro. Final Pretrial Conference set for 12/21/2010 11:30 AM before Judge Paul J. Barbadoro. Pretrial Statements due 12/3/2010. (mxm) (Entered: 12/09/2009)
12/24/2009	<u>38</u>	NOTICE OF APPEAL as to <u>18</u> Order on Report and Recommendations by Jerome Moyston. Filing fee \$ 455, receipt number NOT PAID. File-stamped copy to be sent to parties/USCA by Clerks Office. (Attachments: # <u>1</u> Order dated 9/21/2009, # <u>2</u> Results of Disciplinary dated 2/24/2009, # <u>3</u> Results of Disciplinary dated 2/20/2009, # <u>4</u> Motion to Withdraw Counsel, # <u>5</u> Motion to Withdraw dated 2/21/2009, # <u>6</u> Order on Motion to Withdraw, # <u>7</u> Letter from USCA dated 12/21/2009)(vln) (Entered: 01/04/2010)
12/24/2009	<u>39</u>	MOTION to Extend Time to appeal Order approving Report & Recommendation filed by Jerome Moyston. Follow up on Objection on 1/11/2010. (Attachments: # <u>1</u> Results of Disciplinary dated 10/6/2009, # <u>2</u> Letter re: Pro se Protocol for Law Library, # <u>3</u> Order of Motion to discharge counsel)(vln) (Entered: 01/04/2010)
12/28/2009		ENDORSED ORDER mootng <u>35</u> Motion to expel the trial schedule. Text of Order: Moot. So Ordered by Magistrate Judge James R. Muirhead. (sh) (Entered: 12/28/2009)
12/28/2009	<u>36</u>	MOTION Requesting Copies of all Complaints filed by Plaintiff filed by Jerome Moyston. Served on 12/28/2009. Follow up on Objection on 1/14/2010. (vln) (Entered: 12/28/2009)
12/28/2009	<u>37</u>	3rd Addendum to <u>1</u> Complaint by Jerome Moyston. (Attachments: # <u>1</u> Notice of Decision, 4/12/2009, # <u>2</u> Inmate Request form dated 5/7/09, # <u>3</u> re: Pro Se Protocol for Law Library, 4/29/09, # <u>4</u> Inmate Request form, 10/19/09, # <u>5</u> Results of Disciplinary, 10/6/09, # <u>6</u> Inmate Request Form, 8/24/09, # <u>7</u> re: Abuse of Grievance, 6/8/09, # <u>8</u> Notice of Disciplinary Hearing, 8/27/09, # <u>9</u> Results of Disciplinary, 8/25/09, # <u>10</u> Disciplinary Appeal Results, 8/28/09, # <u>11</u> Results of Disciplinary, 6/8/09, # <u>12</u> Notice of Disciplinary Hearing, 10/1/09)(vln) (Entered: 12/28/2009)
01/07/2010	<u>40</u>	Objection to <u>37</u> Addendum,, (Third Addendum to Complaint) filed by FNU Descar, Hillsborough County Department of Corrections, Assistant Superintendent, Cellee Beurdoon, Hillsborough County Department of Corrections, Superintendent, Nancy Davine, Denise Ryan. (Attachments: # <u>1</u> Memorandum of Law in support of objection to Pldg #37, # <u>2</u> Exhibit 4/29/09 Memo of Capt. Scurry)(Curran, John) (Entered: 01/07/2010)
01/08/2010	<u>41</u>	ORDER denying the request to add to the complaint <u>37</u> third Addendum,, Signed by Magistrate Judge James R. Muirhead. (mxm) (Entered: 01/08/2010)
01/25/2010		ENDORSED ORDER granting <u>36</u> Motion for for copies of complaints. Text of Order: Granted So Ordered by Magistrate Judge Justo Arenas. (mm) (Entered: 01/26/2010)
02/01/2010		FILED IN ERROR ENDORSED ORDER granting <u>39</u> Motion to Extend Time to Appeal Order Approving Report & Recommendation. Text of Order: Denied. Interlocutory appeals are not permitted for this type of order. So Ordered by Magistrate Judge James R. Muirhead. (sh) Modified on 2/1/2010 to add:Filed in error, order action code "Granted" is incorrect (mm). (Entered: 02/01/2010)
02/01/2010		ENDORSED ORDER denying <u>39</u> Motion for Extend Time to appeal Order approving Report & Recommendation. Text of Order: Denied. Interlocutory

		<i>appeals are not permitted for this type of order Signed by Magistrate Judge James R. Muirhead. (mm)</i> (Entered: 02/01/2010)
02/09/2010	<u>42</u>	Appeal Cover Sheet as to <u>38</u> Notice of Appeal, filed by Jerome Moyston (mxm) (Entered: 02/09/2010)
02/09/2010	<u>43</u>	Clerk's Certificate transmitting Record on Appeal to US Court of Appeals, documents numbered 1,6,12,15,17,18,38,39, Endorsed Order, 42,43, re <u>38</u> Notice of Appeal,. A copy of the Notice of Appeal mailed to all parties this date. (mxm) (Entered: 02/09/2010)
02/11/2010		Appellate Case Number: USCA 10-1181 re <u>38</u> Notice of Appeal, filed by Jerome Moyston. (mxm) (Entered: 02/11/2010)
02/18/2010	<u>44</u>	Letter to Clerk of Court from Jerome Moyston re: requesting the proper IFP forms for his appeal (mm) (Entered: 02/18/2010)
02/18/2010	<u>45</u>	Letter to Jerome Moyston from James R. Starr re: requested forms to appeal IFP (mm) (Entered: 02/18/2010)
02/23/2010	<u>46</u>	NOTICE of Change of Address Jerome Moyston (mxm) (Entered: 02/23/2010)
02/23/2010	<u>47</u>	MOTION to Proceed in forma pauperis on Appeal with Financial Affidavit and Custodial Certificate filed by Jerome Moyston. Follow up on Objection on 3/12/2010. (Attachments: # <u>1</u> Financial Affidavit, # <u>2</u> Inmate Account Statement)(mxm) (Entered: 02/23/2010)
02/24/2010		<i>ENDORSED ORDER granting <u>47</u> Motion to Proceed In Forma Pauperis on Appeal. Text of Order: Granted. So Ordered by Judge Paul J. Barbadoro. (jna)</i> (Entered: 02/24/2010)
03/15/2010	<u>48</u>	Letter to Clerk of Court from Jerome Moyston re: notification of his change of address (mxm) (Entered: 03/16/2010)
04/29/2010	<u>49</u>	USCA JUDGMENT as to <u>38</u> Notice of Appeal, filed by Jerome Moyston dismissing the case for lack of jurisdiction. (mm) (Entered: 04/29/2010)
05/17/2010	<u>50</u>	Partially Assented to MOTION for Discovery (<i>to conduct deposition of incarcerated person, as required by FRCP 30(a)(2)(iii)</i>), filed by Cellee Beurdoine, Nancy Davine, FNU Descar, Hillsborough County Department of Corrections, Assistant Superintendent, Hillsborough County Department of Corrections, Superintendent, Denise Ryan. Follow up on Objection on 6/4/2010. (Curran, John) (Entered: 05/17/2010)
05/18/2010	<u>51</u>	Addendum/ <i>Notice re: Pending Motion to Depose Incarcerated Plaintiff</i> , by Cellee Beurdoine, Nancy Davine, FNU Descar, Hillsborough County Department of Corrections, Assistant Superintendent, Hillsborough County Department of Corrections, Superintendent, Denise Ryan. (Curran, John) (Entered: 05/18/2010)
05/21/2010	<u>52</u>	MANDATE of USCA as to <u>38</u> Notice of Appeal, filed by Jerome Moyston case appeal dismissed.(Appeal Record follow-up for return of record from USCA by 6/24/2010.) (mm) (Entered: 05/21/2010)
05/25/2010	<u>53</u>	MOTION to Compel answers to interrogatories filed by Jerome Moyston. Served on 5/21/10. Follow up on Objection on 6/11/2010. (mxm) (Entered: 05/25/2010)
05/25/2010	<u>54</u>	MOTION for Summary Judgment <i>for Insufficient Expert Testimony and Insufficient Factual Basis to Support Claims</i> filed by FNU Braga. Follow up on Objection on 6/28/2010. (Attachments: # <u>1</u> Memorandum of Law Memo of Law in Support of SJ, # <u>2</u> Exhibit Plaintiffs Interrog Answers, # <u>3</u> Exhibit Booking Records, # <u>4</u> Exhibit Medical Records, # <u>5</u> Exhibit (Affidavit) Defendant Affidavit)(Mattson, Joseph) (Entered: 05/25/2010)
05/25/2010	<u>55</u>	MOTION to Extend Time to Disclose Expert <i>for Sixty Days From Ruling on Summary Judgment</i> filed by FNU Braga. Follow up on Objection on 6/11/2010. (Mattson, Joseph) (Entered: 05/25/2010)
06/02/2010		Appeal Record Returned (mm) (Entered: 06/02/2010)

06/03/2010	<u>56</u>	OBJECTION to <u>53</u> MOTION to Compel answers to interrogatories <i>[without legal memorandum]</i> filed by Nancy Davine, Hillsborough County Department of Corrections, Superintendent. (Attachments: # <u>1</u> Exhibit Nancy Davine Discovery Responses, # <u>2</u> Exhibit James M. O'Mara Jr. Discovery Responses)(Curran, John) (Entered: 06/03/2010)
06/07/2010		NOTICE re: <u>53</u> MOTION to Compel answers to interrogatories Motion Hearing set for 6/22/2010 10:30 AM before Judge Paul J. Barbadoro. (vln) (Entered: 06/07/2010)
06/15/2010	<u>57</u>	MOTION for Summary Judgment <i>[on Medical (deliberate indifference) Claims]</i> filed by FNU Descar, Hillsborough County Department of Corrections, Assistant Superintendent, Hillsborough County Department of Corrections, Superintendent, Denise Ryan. Follow up on Objection on 7/19/2010. (Attachments: # <u>1</u> Memorandum of Law (re: Deliberate Indifference Claims), # <u>2</u> Exhibit (Affidavit) (Nurse Denise Ryan))(Curran, John) (Entered: 06/15/2010)
06/15/2010	<u>58</u>	MOTION for Summary Judgment <i>(on Retaliation Claim v. Law Librarian, and related supervisory claim)</i> filed by Nancy Davine, Hillsborough County Department of Corrections, Assistant Superintendent, Hillsborough County Department of Corrections, Superintendent. Follow up on Objection on 7/19/2010. (Attachments: # <u>1</u> Memorandum of Law (Re: Retaliation Claim v. Law Librarian), # <u>2</u> Exhibit (Affidavit) (Affidavit of Nancy Davine, Law Librarian))(Curran, John) (Entered: 06/15/2010)
06/16/2010	<u>59</u>	MOTION to Extend Time to Extend Summary Judgment Deadline, Nunc Pro Tunc, from 6/15/10 to 7/1/10 <i>(without legal memo) [on specified claims]</i> filed by Cellee Beurdoon, Hillsborough County Department of Corrections, Assistant Superintendent, Hillsborough County Department of Corrections, Superintendent. Follow up on Objection on 7/6/2010. (Curran, John) (Entered: 06/16/2010)
06/17/2010	<u>60</u>	ORDER denying without prejudice <u>53</u> Motion to Compel. So Ordered by Judge Paul J. Barbadoro. (jna) (Entered: 06/17/2010)
06/25/2010	<u>61</u>	MOTION for Summary Judgment filed by Cellee Beurdoon. Follow up on Objection on 7/29/2010. (Attachments: # <u>1</u> Memorandum of Law Re: Retaliation Claim, # <u>2</u> Exhibit (Affidavit) Affidavit of Cecile Beaudoin)(Curran, John) (Entered: 06/25/2010)
06/25/2010	<u>62</u>	MOTION to Supplement Pending Motion for Summary Judgment (Doc. 58) to Add Affidavit of Willie Scurry <i>[with proffered affidavit appended]</i> filed by Nancy Davine. Follow up on Objection on 7/12/2010. (Attachments: # <u>1</u> Exhibit (Affidavit))(Curran, John) (Entered: 06/25/2010)
07/01/2010	<u>63</u>	MOTION for Summary Judgment <i>[on Supervisory Claims and Retaliation Claim versus Superintendent]</i> filed by Hillsborough County Department of Corrections, Assistant Superintendent, Hillsborough County Department of Corrections, Superintendent. Follow up on Objection on 8/5/2010. (Attachments: # <u>1</u> Memorandum of Law, # <u>2</u> Exhibit (Affidavit) of Assistant Superintendent David Dionne, # <u>3</u> Exhibit (Grievances filed by Plaintiff with HCDOC))(Curran, John) (Entered: 07/01/2010)
07/14/2010		ENDORSED ORDER granting <u>62</u> Motion to Supplement Pending Motion for Summary Judgment. Text of Order: Granted. So Ordered by Judge Paul J. Barbadoro. (jna) (Entered: 07/14/2010)
07/15/2010	<u>64</u>	AFFIDAVIT re <u>58</u> MOTION for Summary Judgment <i>(on Retaliation Claim v. Law Librarian, and related supervisory claim)</i> MOTION for Summary Judgment <i>(on Retaliation Claim v. Law Librarian, and related supervisory claim)</i> Affidavit of Captain Willie Scurry <i>(as Supplement, permitted by Court Order of 7/14/10)</i> filed by Nancy Davine (Curran, John) (Entered: 07/15/2010)
09/27/2010	<u>65</u>	ORDER dismissing the case without prejudice So Ordered by Judge Paul J. Barbadoro. (mxm) (Entered: 09/27/2010)
10/01/2010	<u>66</u>	JUDGMENT is hereby entered in accordance with <u>65</u> Order. Signed by Clerk James R. Starr. (Case Closed) (mm) (Entered: 10/01/2010)

12/09/2010	<u>67</u>	NOTICE of Change of Address and request for copies filed between 2/2010 and 05/2010 Jerome Moyston (mm) (Entered: 12/09/2010)
12/21/2010	<u>68</u>	Letter to Jerome Moyston from Daniel Lynch, Chief Deputy Clerk re: his letter requesting copies (mxm) (Entered: 12/21/2010)